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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/776,550	02/02/2001	Jared Zerbe	1726.7220800	9988
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38013	7590	02/25/2004		
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EXAMINER
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LAU, TUNG S

ART UNIT	PAPER NUMBER
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2863

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b> 09/776,550	<b>Applicant(s)</b> ZERBE ET AL.	
	<b>Examiner</b> Tung S Lau	<b>Art Unit</b> 2863	<i>pw</i>

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 January 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a)  The period for reply expires 3 months from the mailing date of the final rejection.  
b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
**ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1.  A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
2.  The proposed amendment(s) will not be entered because:  
(a)  they raise new issues that would require further consideration and/or search (see NOTE below);  
(b)  they raise the issue of new matter (see Note below);  
(c)  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d)  they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
4.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
5.  The a)  affidavit, b)  exhibit, or c)  request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.  
6.  The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
7.  For purposes of Appeal, the proposed amendment(s) a)  will not be entered or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_  
Claim(s) objected to: \_\_\_\_\_  
Claim(s) rejected: \_\_\_\_\_  
Claim(s) withdrawn from consideration: \_\_\_\_\_

8.  The drawing correction filed on \_\_\_\_\_ is a)  approved or b)  disapproved by the Examiner.  
9.  Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_  
10.  Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: Response to Arguments

1. Applicant's arguments filed 1/30/2004 have been fully considered but they are not persuasive.

A. Applicant argues that the prior art does not show the 'transmit circuit, the transmit circuit comprising a transmit data input and a transmit data output, the transmit circuit producing a transmit data output signal at the transmit data output based on a transmit data input signal from the transmit data input when the transmit circuit is operating in a normal mode. normal mode'. Gruetzner discloses 'transmit circuit, the transmit circuit comprising a transmit data input and a transmit data output, the transmit circuit producing a transmit data output signal at the transmit data output based on a transmit data input signal from the transmit data input when the transmit circuit is operating in a normal mode. normal mode' in column 4, lines 25-53; and Figure 1, items 111 and 127. Applicant argue that this circuit is a receiving circuit and not transmit circuit. Gruetzner discloses that this circuit can both transmit and receive the same time (fig. 1, unit 111, 124 and 112). It would have been inherently obvious to one of ordinary skill in the art at the time the invention was made to know that to transmit it has to receive as show in Gruetzner invention in fig. 1, unit 111, 110 and 124. In Col. 4, Lines 54-67, Gruetzner discloses that 124 is a bus, is inherently obvious to one of ordinary skill in the art at the time the invention was made to know that bus is directional in digital circuit (fig. 2).


B. Applicant argues that the prior art does not show the 'repeat pattern generator'. Gruetzner discloses 'repeat pattern generator' in fig. 2, Col. 2-3, Lines 49-37.

C. Applicant argues that the prior art does not show the 'shift register'. Gruetzner discloses 'shift register' in Col. 3, Lines 4.

D. Applicant continues to argue that the prior art does not show the 'two bits of information over a single conductor'. Gruetzner discloses 'two bits of information over a single conductor' in fig. 1, unit 124, fig. 2, 4.

D. Applicant continues to argue that the prior art does not show the 'two bits of information over two conductors'. Gruetzner discloses 'two bits of information over two conductors' in fig. 1, unit 124, fig. 2, 4. (i.e. the other conductor is ground).

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969). While the meaning of claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allowed. This means that the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. In re Zletz, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989)..

  
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